

Annika Goldenberg

**Der verschmelzungsrechtliche
Squeeze-out gemäß
§ 62 Absatz 5 UmwG**

*Analyse und Vergleich
mit dem aktienrechtlichen und
übernahmerechtlichen Squeeze-out*

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Verschmelzungsrechtliche Squeeze Out Gestaltungs- möglichkeiten bei Berücksichtigung Europarechts

Markus Fisch



Verschmelzungsrechtliche Squeeze Out Gestaltungsmöglichkeiten Berücksichtigung Europarechts:

Der verschmelzungsrechtliche Squeeze-out Markus Fisch, 2015 Since 2011 German law provides majority shareholders with an interest of at least 90 % the legal opportunity to exclude minority shareholders from a corporation unless a group merger is performed at the same time The German legislator created this so called Squeeze out Merger as an instrument for corporate restructuring that brings fundamental innovation in compare to the already existing types of squeeze out In this context the author shows the background of the new legal concept in European legislation and takes a critical look at its compatibility with European primary law Furthermore a detailed description is given both of the legal requirements and the procedure of the Squeeze out Merger and its similarities or differences with the existing types of squeeze out are explained Subsequently legal boundaries of individual legal options used in practice are looked at more closely followed by a final summary The author is a lawyer in Munich specialized in transformation law

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